



93 B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : ATTN: PATENT PUBLICATIONS
Peter Holscher et al. : Examiner: Richard L. Raymond
Serial No.: 09/787,396 : Group Art Unit: 1624
Filed: March 19, 2001 : Allowed: May 18, 2004
For: BENZOXAZINE AND BENZOTHAIAZINE DERIVATIVES AND THEIR USE IN MEDICINES

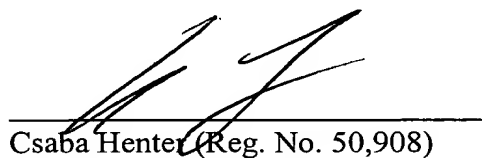
REQUEST FOR COMPLETE NOTICE OF ALLOWANCE

MAIL STOP ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

Attached is a copy of Applicants' Information Disclosure Statement and Form PTO/SB/08A filed October 17, 2002, a copy of which has not yet been returned to applicants with the examiner's initials indicating the references cited therein were considered during the prosecution of the above-identified application. It is respectfully requested that an examiner-initialed copy of Form PTO/SB/08A be returned to applicants.

Respectfully submitted,



Csaba Henter (Reg. No. 50,908)
Representative capacity
For Anthony J. Zelano (Reg. 27,969)
Attorney for Applicants
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
Arlington Courthouse Plaza I
2200 Clarendon Blvd., Suite 1400
Arlington, VA 22201
Direct Dial: (703) 812-5331
Fax: (703) 243-6410
Internet address: henter@mwzb.com

AJZ:CH:aek
Filed: July 7, 2004
k:\sch\1706\req for complete noallow

SCH-1706

COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Peter Holscher et al.

Serial No.: 09/787,396

Group Art Unit: 1624

Filed: March 19, 2001

Examiner: J. Ford

For: BENZOXAZINE AND BENZOTHAZINE DERIVATIVES AND THEIR USE IN MEDICINES

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

CITED MATERIALS

Applicant(s) hereby disclose the information listed in the attached form PTO-1449.

- ☐ Copies of materials listed but not attached were cited in parent application Serial No. ____; see 37 C.F.R. § 1.98(d).
- ☐ Copies of materials listed but not attached were cited in an International Search Report dated ____; receipt of the International Search Report and copies of references was confirmed by the PCT International Division of the U.S. PTO in the Notice of Acceptance mailed ____.

LANGUAGE

- ☒ All listed materials are in the English language; see 37 C.F.R. § 1.98.
- ☐ Non-English language references:
 - ☐ The reference(s): _____ in the English-language is (are) indicated by commercial data bases to correspond to the reference(s): _____, respectively.
 - ☐ (An) English-language translation(s) of the references: _____ is (are) provided.
 - ☐ A commercial English-language abstract of reference(s) _____ is (are) provided.
 - ☐ An English-language search report or an equivalent paper from a foreign patent office translated into English in pertinent part in connection with a counterpart foreign application, is provided indicating the relevance of the cited reference(s).

COPY

FEES

- ☐ No fee is required for this Information Disclosure Statement because:
- ☐ This Information Disclosure Statement is being filed within three months of the filing date of a national application (other than a CPA) under § 1.53(d) or within 3 months of the date of entry of the national stage under § 1.491 in an international application;
 - ☐ This Information Disclosure Statement is being filed before the mailing of a first action on the merits;
 - ☐ This Information Disclosure Statement is being filed after a first action on the merits but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that closes prosecution in the application, and is accompanied by a certification below.
 - ☐ This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(i).
- ☒ A fee is required for this Information Disclosure Statement:
- ☐ This Information Disclosure Statement is being filed after a first action on the merits but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311 or an action that closes prosecution, and is accompanied by the fee set forth in § 1.17(p).
 - ☒ This Information Disclosure Statement is being filed after the mailing date of a final rejection or a notice of allowance under § 1.311 or an action that closes prosecution, but before the payment of the issue fee, and is accompanied by the fee set forth in § 1.17(p) and a certification below.

CERTIFICATION

- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned, having made reasonable inquiry, no such item was known to any individual designated in 37 CFR § 1.56(c), more than three months prior to the filing of this statement.



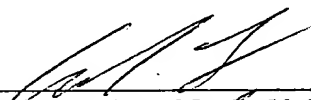


COPY

DEPOSIT ACCOUNT

If a fee is due, attached is a check in the amount of \$180.00. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,


Csaba Henter, Reg. No. ~~4~~50,908
Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1
2200 Clarendon Blvd. Suite 1400
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: SCH-1706

Date: October 17, 2002
CH:pdr



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.